

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4746 of 2023

Arising Out of PS. Case No.-188 Year-2016 Thana- PAROO District- Muzaffarpur

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MOHAN KUMAR @ MOHAN KUMAR SINGH Son of Ramhansh Singh
Resident of Village- Daudpur, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Ajay Mishra, APP

For the Vigilance : Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner, learned
counsel for the Vigilance and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
18.08.2022 in connection with Paroo P.S. Case No. 188 of
2016, F.I.R. dated 01.09.2016 registered for the offence
punishable under Sections 465,467,468,471,420 of IPC.

The gist of the allegation is that vigilance enquiry
was held with regard to appointment of Panchayat teachers and
it transpired that Birendra Kumar Sah, Sunil Kumar and Mohan
Kumar got appointed on the basis of forged certificates of
Madhyama.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. Further submits that pursuant to the direction of this



Hon'ble Court, the FIR has been instituted against the petitioner and similarly situated other co-accused persons by the Vigilance Department. Further submits that the allegation as alleged in the FIR is false and fabricated. In fact the petitioner has submitted the certificate which he has received from the Board/University and the petitioner has not submitted any forged and fabricated certificate and after institution of the present FIR, the petitioner is not in service and the petitioner is in custody since 18.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries on more case other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Muzaffarpur in connection with Paroo P.S. Case No. 188 of 2016, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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